IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Crl.MC.No. 3504 of 2007()

CC.361/2006 of JUDL.MAGISTRATE OF FIRST CLASS, KAYAMKULAM

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PETITIONER: ACCUSED

SHANI, AGED 27 YEARS,
D/O HANEEFA, SHANI NIVAS, CHINGOLI MURI,
CHINGOLI VILLAGE,
KARTHIKAPPALLY TALUK.

BY ADV. SRI.R.PADMAKUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. SAKKEER HUSSAIN, AGED 35 YEARS,
S/O HANEEBA, ONAMPALLIL VEETTIL,
KEERIKKADU SOUTH, MURI, KARTHIKAPPALLY.

3. RASHEED, AGED 40 YEARS,
S/O HANEEFA, -DO-

4. KHADEEJA UMMA, AGED 60 YEARS,
-DO-

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 3504 of 2007

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Dated this the 11th day of December, 2007

O R D E R

The petitioner is the defacto complainant in a prosecution under Section 498A I.P.C. Cognizance has been taken in 2006. The petitioner has been summoned to appear. She has been appearing all along. The case has not taken up. In these circumstances the petitioner has come to this Court for a direction for expeditious disposal of the case.

2. Report of the learned Magistrate was called for. The learned Magistrate reports that he is only in additional charge of the Court and that along with his regular work in the regular court he finds it very difficult to take up matters for trial in the Magistrate Court. I need only mention that I expect the learned Magistrate to take up the case as expeditiously as possible. The petitioner should not be unnecessarily vexed by the insistence on her personal presence on all dates of postings. While I expect the learned Magistrate to take the matter for trial, I direct the

learned Magistrate not to insist on the personal presence of the petitioner if the matter is not likely to be taken up.

3. This Crl.M.C. is allowed in part to the above extent.

(R. BASANT)
Judge

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